

Schultz
10/735,682

REMARKS

The undersigned requests a personal interview with the Examiner in charge of this application.

Claims 12-17 were objected to as being of improper dependent form. These claims have been canceled.

Claims 1-3, 17 and 18 were rejected as being anticipated by Rice.

Claims 4-16 were rejected as being unpatentable over Rice in view of Schwandt.

Rice discloses a template for the hanging of wall hangings while the wall hangings are disposed on a horizontal surface (see col. 2, lines 43-48). In the present invention, the template is mounted on the wall to locate the hangings.

Schwandt shows a leveler mounted temporarily on a tool such as a drill to obtain the correct angle of drilling. In the present invention, the template shows the location for the bubble levelers. It is not clear that the teachings of this reference would suggest the use of indicia on a template as to where to place levelers.

In view of the excellent art cited by the Examiner, claim 4 has been extensively amended, the remaining original claims canceled, and a new claim 19 drawn to the method has been added.

Claim 4 as amended recites the principal features of the invention including the centrally disposed eye level guide, cutting guide lines and bubble placement indicia which appear to be lacking in Rice.

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The new method claim 19 includes the structural features of the pliable sheet but recites the method steps involved in using the sheet to hang the picture frames. Since Rice prepares its template on a horizontal surface and in the present invention the steps are performed with the template in place on the wall, it is believed that the claimed method clearly distinguishes over Rice and other art of record.

Attached is a two page Exhibit A prepared by the Applicant, pointing out some additional distinctions over Rice.

For the reasons given above, it is believed that the claims now remaining clearly distinguish over the art of record and should be allowed.

A conscientious effort has been made to place this application in condition for immediate allowance. The Examiner is requested to call the undersigned or Mr. Kroll if further changes are required to obtain allowance of the application.

A favorable action is solicited.

Respectfully submitted,



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CERTIFICATE OF FAXING

I hereby certify that this correspondence is being facsimile transmitted to the U. S.
Patent and Trademark Office, telephone number 703-872-9306 on Nov. 24, 2004.


Leonard Belkin